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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,600	02/06/2002	Chen-Hsiung Hsu	BHT-3123-62	5446

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TROXELL LAW OFFICE PLLC
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FALLS CHURCH, VA 22041

EXAMINER

MASKULINSKI, MICHAEL C.

ART UNIT	PAPER NUMBER
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2113

DATE MAILED: 11/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,600

Applicant(s)

HSU, CHEN-HSIUNG

Examiner

Michael C Maskulinski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 7 is/are rejected.
- 7) ☒ Claim(s) 5, 6 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Non-Final Office Action

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Billick et al., U.S. Patent 6,772,357 B2, and further in view of Dornier, U.S. Patent 5,646,535.

Referring to claim 1:

- a. In column 3, line 39, Billick et al. disclose a power supply having a fault detector (a self-detecting device).
- b. In column 5, lines 6-9, Billick et al. disclose that the indicator is an LED (an LED displaying light exposed out from the casing of the power supply).
- c. In column 3, lines 45-48, Billick et al. disclose engaging the ON/OFF control to initiate the fault detector (a detecting button exposed out from the casing of the power supply).
- d. In column 6, lines 9-17, Billick et al. disclose that if activation of the switch (the normality of the power supply is detected by pressing a detecting button) causes the LED to emit, then it may reasonably be assumed that no fault exists in the power supply and if there were a fault condition the LED light would not emit. However, Billick et al. don't explicitly disclose that the result is displayed

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through the colors of the LED displaying light. In column 1, lines 51-61, Dornier discloses dual-color LEDs that may be illuminated in red, green, or yellow to indicate a diagnostic result. The LED may be the power indicator LED. It would have been obvious to one of ordinary skill at the time of the invention to include the dual-color LED of Dornier into the system of Billick et al. A person of ordinary skill in the art would have been motivated to make the modification because the type of indicator is not relevant to Billick et al., but rather the method of testing (see Billick et al.: column 6, lines 30-43 and column 5, lines 7-10). Further, a dual-mode LED is capable of displaying the states of Billick et al. and provides further fault tolerance in that if the LED doesn't work in the system of Billick et al., the user will never know the status of the power supply.

Referring to claim 2, in column 3, lines 36-48, Billick et al. disclose that the fault detector is initiated by the ON/OFF control of the power supply and observing an indicator (the power supply with an LED displaying light and a button is installed in a transversal or upright computer mainframe; the LED displaying light and button exposes out; thereby, the user presses the button by a finger and the LED displaying light displays the results).

3. Claims 3, 4, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Billick et al., U.S. Patent 6,772,357 B2 and Dornier, U.S. Patent 5,646,535 as applied to claim 1 above, and further in view of Owhadi et al., U.S. Patent 6,625,742 B1.

Referring to claim 3, in column 3, lines 36-48, Billick et al. disclose a fault detector for a power supply (a power supply operation detecting circuit), however, neither Billick et al. nor Dornier explicitly disclose a power supply standby power source detecting circuit. In column 2, lines 58-63, Owhadi et al. disclose that the LED provides a direct indication that the power supply is delivering at least standby power, the power outlet is delivering AC power to the machine, and the power switch is mechanically good. It would have been obvious to one of ordinary skill at the time of the invention to include the standby power indication means of Owhadi et al. into the combined system of Billick et al. and Dornier. A person of ordinary skill in the art would have been motivated to make the modification because this removes the need to perform this test in any diagnostic analysis (see Owhadi et al.: column 2, lines 62-63).

Referring to claim 4, in column 3, lines 55-67 continued in column 4, lines 1-12, Owhadi et al. teach the power supply operation detecting circuit includes an AC power input end, a detecting switch, a power system, an auxiliary power source or standby power source. The rectifier is inherent to the system of Owhadi et al. In column 4, lines 22-31, Owhadi et al. disclose that if the user presses the switch and LED is on, then the power supply is delivering at least standby power, the power outlet is delivering AC power to the machine, and the power switch is mechanically good (the detector detects the power condition of a power system, and detects output voltage; the detected result is displayed by the LED displaying light).

Referring to claim 7, in column 3, lines 55-67 continued in column 4, lines 1-12, and in Figure 2, Owhadi et al. teach the power supply standby power source detecting

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circuit includes an AC power input end, a detecting switch, a power system, an auxiliary power source or standby power source. The rectifier is inherent to the system of Owahdi et al. In column 4, lines 22-31, Owahdi et al. disclose that if the user presses the switch and LED is on, then the power supply is delivering at least standby power, the power outlet is delivering AC power to the machine, and the power switch is mechanically good (the detector detects the power condition of a power system, and detects output voltage; the detected result is displayed by the LED displaying light).

Allowable Subject Matter

4. Claims 5, 6, and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,553,294 Nanno et al.

U.S. Patent 5,640,574 Kawashima

U.S. Patent 6,275,162 B1 Lo et al.

U.S. Patent 6,574,741 B1 Fujimori et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C Maskulinski whose telephone number is (571) 272-3649. The examiner can normally be reached on Monday-Friday 9:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert W Beausoliel can be reached on (571) 272-3645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MM


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